

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office MAY 01 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 01 2006

The applicant **Sandra L. and James M. Nixon** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **2.02 AFA** second-feet.
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Commercial**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks") **See item #12**
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **Within the SE ¼ of the SW ¼ of Section 9, Township 20 S., Range 53 E. M.D.B.&M., Nye County, Nevada at a point from which the SW corner of said section 9 bears S 80°18'18" W a distance of 1672.48 ft.**
6. Place of Use **Within a portion of the SE ¼ of the SW ¼ of Section 9, Township 20 S., Range 53E., M.D.B.&M., Nye County, Nevada. Also known as Nye County Assessor's Parcel Number 35-184-33, also know as Cal-Vegas Ranchos Unit D, Lot 6, as shown on document #034941, dated, 5/13/1960, located at 670 W. Basin St. Pahrump, Nevada.**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **Existing well with casing, submergible pump, and storage tank. New totalizing meter.**
9. Estimated cost of works **\$500 associated with new works as described in item 8.**
10. Estimated time required to construct works **1 year**
11. Estimated time required to complete the application of water to beneficial use **5 years**

12. Remarks: Water to be used at a small restaurant with kitchen, 2 lavatories, ice maker, etc. Hose bibbs will cover landscaping and water will be needed for dust suppression in parking area, as well as future expansion. See attached fixture count.

By s/ Rachel Kiydn
120 E. State St. Suite 101
Pahrump, NV 89048

Compared mt/dl lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

Permit 74260 is granted to provide water service to one lot described as Nye County Assessor's Parcel Number (APN) 35-184-33.

Upon cessation of pumping for commercial purposes at this place of use, water under this permit shall return to the source and no application to change or relinquishment will be allowed.

(Continued on Page 3)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.04 cubic feet per second, but not to exceed 1.98 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

August 25, 2008

Proof of completion of work shall be filed on or before:

September 25, 2008

Water must be placed to beneficial use on or before:

August 25, 2013

Proof of the application of water to beneficial use shall be filed on or before:

September 25, 2013

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of August, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____